

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROCHELLE NAJOR,

Plaintiff,

v.

Case No. 2:10-cv-14307

G. REYNOLDS SIMS and G. REYNOLDS
SIMS & ASSOCIATES, P.C.

Defendants.

ORDER DIRECTING SUBMISSION OF PROPOSED SETTLEMENT

On January 20, 2011, the court's staff was notified that the parties have reached a mutually agreeable settlement of this matter.

Employee/Plaintiffs such as Najor are not permitted to simply waive their claims for back wages under the Fair Labor Standards Act. *Barrentine v. Ark.-Best Freight Sys., Inc.*, 450 U.S. 728, 740 (1981). They may, however, negotiate a proposed, purportedly "fair" stipulated judgment and submit it to the court so that it may receive "judicial scrutiny" before it is entered. *Lynn's Food Stores, Inc. v. United States ex rel U.S. Dep't of Labor*, 679 F.2d 1350, 1353 (10th Cir. 1982) (citing *D.A. Schulte, Inc. v. Gangi*, 328 U.S. 108, 113 n.8 (1946)). Accordingly,

IT IS ORDERED that, no later than **January 30, 2012**, the parties shall file with the court, under seal, their settlement agreement and shall submit a stipulated

proposed judgment. The court intends to review the agreement before entering the proposed judgment.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 26, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 26, 2012, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522